



Albemarle County

Meeting Agenda Board of Supervisors

Supervisor, Rio District Ned Gallaway
Supervisor, Rivanna District Bea LaPisto-Kirtley
Supervisor, White Hall District Ann H. Mallek
Supervisor, Jack Jouett District Diantha H. McKeel
Supervisor, Samuel Miller District Liz A. Palmer
Supervisor, Scottsville District Donna P. Price
County Executive, Jeffrey B. Richardson
Clerk, Claudette K. Borgersen

Wednesday, October 20, 2021

1:00 PM

Electronic Meeting

Regular Second Meeting

This meeting is being held pursuant to and in compliance with Ordinance No. 20-A(16), An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster. The opportunities for the public to access and participate in the electronic meeting are posted on the Albemarle County website on the Board of Supervisors' home page and on the Albemarle County calendar. Participation will include the opportunity to comment on those matters for which comments from the public will be received.

1. Call to Order.

2. Pledge of Allegiance.

3. Moment of Silence.

4. Adoption of Final Agenda.

5. Brief Announcements by Board Members.

6. Proclamations and Recognitions:

7. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

8. Consent Agenda (on next sheet)

Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under Subsection (6), to discuss and consider the investment of public funds in the Rio Magisterial District related to the acquisition of real property where bargaining is involved and where, if made public initially, the financial interest of the County would be adversely affected.*

9. 1:40 p.m. - Closed Meeting.**10. Certify Closed Meeting.****2:00 p.m. – Work Session:**

11. [21-505](#) Joint Work Session with the School Board - FY 23 - FY 27 Capital Improvement Plan.
(Andy Bowman, Chief of Budget Division)

3:45 p.m. - Recess**4:00 p.m. - Presentations:**

12. [21-506](#) Albemarle Charlottesville Regional Jail Facility Assessment.
(Martin Kumer, Superintendent, Albemarle-Charlottesville Regional Jail)
13. [21-502](#) Rivanna Water and Sewer Authority (RWSA) Quarterly Report.
(David Tungate, Operations Division Director, Rivanna Water and Sewer Authority)
14. [21-501](#) Albemarle County Service Authority (ACSA) Quarterly Report.
(Gary O'Connell, Executive Director, Albemarle County Service Authority)

15. 5:00 p.m. - Closed Meeting.

Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- *Under Subsection (1), to discuss and consider the annual performance of the County Attorney and the appointment of his successor upon his pending retirement in 2022.*

16. Certify Closed Meeting.**6:00 p.m.**

17. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

18. From the County Executive: Report on Matters Not Listed on the Agenda.

Public Hearing:

19. [21-490](#) Ordinance to Implement a Cigarette Tax. To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 15, Taxation, to add Article 15, Cigarette Tax, to implement provisions for the collection of a cigarette tax in the County to be effective on and after January 1, 2022. Article 15 would include §§ 15-1500 (Definitions), 15-1501 (Levy and rate) (the proposed tax imposed would be at a rate of \$0.02 per cigarette sold, stored, or received), 15-1502 (Methods of collection), 15-1503 (Registered agents), 15-1504 (Requirements for retail dealers), 15-1505 (Presumption of illegality; seizure of contraband goods, sealing/seizing of machines), 15-1506 (Illegal acts), 15-1507 (Jeopardy assessment), 15-1508 (Erroneous assessment: notices and hearings in event of sealing of vending machines or seizure of contraband property), 15-1509 (Disposal of seized property), 15-1510 (Extensions), 15-1511 (Penalty for violation of article), 15-1512 (Each violation a separate offense), 15-1513 (Severability), and 15-1514 (Application within towns).

(Lori Allshouse, Assistant CFO for Policy and Partnerships)

20. [21-471](#) SP202100005 Haupt Property. PROJECT: SP202100005 Haupt Property
MAGISTERIAL DISTRICT: Samuel Miller TAX MAP/PARCEL(S):
085000000003A0; 085000000003A1 LOCATION: 7181 Batesville Road,
Afton, VA 22920 PROPOSAL: Request to amend existing special use
permit SP198900110 in order to expand the existing day camp use to
allow for 1) an increase in the number of participants from 10 to 50; 2) an
increase in the number of days of operation from 30 days per year to 45
days per year; and 3) an additional parcel to be added to the special use
permit, for a total of approximately 103.56 acres on two parcels of land.
PETITION: Special Use Permit request for a day camp or boarding camp
in accordance with Section 10.2.2.20 of the Zoning Ordinance, on two
parcels totaling approximately 103.56 acres. No dwelling units proposed.
ZONING: RA, Rural Areas - agricultural, forestal, and fishery uses;
residential density (0.5 unit/acre in development lots) OVERLAY
DISTRICT(S): Flood Hazard Overlay District COMPREHENSIVE PLAN:
Rural Area – preserve and protect agricultural, forestal, open space, and
natural, historic, and scenic resources; residential (0.5 unit/acre in
development lots).

(Andy Reitelbach, Senior Planner)

21. [21-488](#) CPA202100001 Crozet Master Plan. To consider proposed amendments to the Crozet Master Plan section of the Albemarle County Comprehensive Plan. The Master Plan update would revise recommendations related to land use decisions, transportation improvements, environmental conservation, and implementation projects for the Crozet development area. The Plan would revise the following information for the Crozet development area: the vision for development and redevelopment of the area and supporting recommendations; creation of new place types with form and use recommendations; a plan for the transportation network and its integration with the place types; a plan for open space, trails and natural resource protection and enhancement, and a plan for implementation and supporting community facilities and infrastructure.

(Rachel Falkenstein, Planning Manager)

22. [21-481](#) Proposed Amendments to Road Naming and Property Numbering Ordinance and Manual. To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 7, Health and Safety, Article 2, Naming Roads and Numbering Properties. The proposed ordinance would amend County Code § 7-200, Purpose, to amend the definition of Road and to add definitions for Public Street, Private Street, and Driveway to clarify that privately-maintained roads that were not previously approved by the County and private driveways serving three or more addressable structures are included in the provisions of Article 2; would amend § 7-204, Responsibility for Placing and Maintaining Road Signs, to provide that where practical and permitted, road name signs should be co-located on existing sign posts; would amend § 7-210, Violation and Penalty, to authorize the County's agent, rather than the County Executive, to seek any lawful remedy, including injunctive relief, to correct or abate a violation of Article 2; and would make stylistic changes to §§ 7-200, 7-202, 7-203, 7-204, 7-206, 7-207, and 7-208

(Ruth Emerick, GIS Program Manager)

23. [21-496](#) Ordinance to Amend County Code Chapter 4, Animals. To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 4, Animals, (Sections 4-210 through 4-220) to incorporate changes required by amendments to Virginia Code § 3.2-6540 et seq. regarding Dangerous Dogs. The amendments include procedural changes in determining an animal is a dangerous dog and additional responsibilities for notice and disposition of an animal after it is determined to be a dangerous dog.

(Amanda Farley, Senior Assistant County Attorney)

24. From the Board: Committee Reports and Matters Not Listed on the Agenda.

25. Adjourn to November 3, 2021, 1:00 p.m., electronic meeting pursuant to Ordinance No. 20-A (16).

CONSENT AGENDA**8. FOR APPROVAL (by recorded vote):**

- 8.1 [21-486](#) Fiscal Year 2022 Appropriations.
(Andy Bowman)
- 8.2 [21-485](#) SE202100034 Homestay Special Exception - Blue Mountain Haven.
(Samuel Miller)
(Rebecca Ragsdale)
- 8.3 [21-503](#) Resolution Supporting the Commonwealth's Studies of Its Information Technology Systems and Services and Encouraging the General Assembly to Provide Funding for Needed Technology Modernization and Staffing to Support That Technology Throughout State Government.
(Greg Kamptner)

8. FOR INFORMATION (no vote necessary):

- 8.4 [21-499](#) Facilities and Environmental Services (FES) 3rd Quarter CY2021 Report.
(Lance Stewart)
- 8.5 [21-500](#) Boards and Commissions Updated Annual Reports.

Thank you for attending today's public hearing. During the 2021 Calendar Year, the Chair is Ned L. Gallaway and the Vice-Chair is Donna P. Price.

During the time set aside for "From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board" ("From the Public"), individuals may address the Board of Supervisors concerning matters previously considered by the Board or matters that are pending before the Board. Please visit the Participation Guide for Public Meetings on the Albemarle County Board of Supervisors webpage for instructions on how to join the virtual meeting.

During Public Hearings, the Board will only acknowledge speakers addressing the item listed for Public Hearing. Speakers are limited to one appearance of three minutes per public hearing item. Applicants are limited to a ten-minute presentation of their proposal and are allowed a five-minute rebuttal at the close of the public hearing.

Albemarle County residents may sign up online in advance of the meeting to speak during Public Hearings and "From the Public" at <https://albemarle.legistar.com/Calendar.aspx> and clicking on eComment for the select meeting. To create an account, click on the sign-up link at the top right corner of the eComment webpage. Residents who are unable to sign up in advance of the meeting may do so during the meeting through the webinar chat, provided there are remaining slots available. If you require assistance, please contact the clerk's office at clerk@albemarle.org or call 434-296-5843.

Up to 10 persons may speak during each "From the Public" session. The 10 speakers are determined on a first-come, first-served basis, with those persons signing up to speak before the meeting having priority. Each speaker may speak for up to three minutes and at only one "From the Public" session at each meeting. The speaker may include a visual or audio presentation, provided that the presentation is received by the Clerk at least 48 hours before the "From the Public" session at which the speaker plans to speak.

Time keeping is conducted by the Clerk. In order to give all speakers equal treatment and courtesy, the Board requests that speakers adhere to the following guidelines:

- When called on to speak, state your name and magisterial district
- Address comments directly to the Board as a whole
- If you have written statements, e-mail them to the Clerk at clerk@albemarle.org
- If you exceed your allotted time, you will be asked to end your comments
- If a speaker does not use all allocated time, the unused time may not be shared with another speaker
- Back and forth debate is prohibited

**All comments are live streamed, recorded and published on the Albemarle County website.
Please turn off all pagers and cellular telephones.**

Clerk, Board of County Supervisors
401 McIntire Road
Charlottesville, Virginia
22902-4596